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C O N F I D E N T I A L SECTION 01 OF 02 VATICAN 000055

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E.O. 12958: DECL: 7/23/2028
TAGS: [PGOV](#) [PREL](#) [PHUM](#) [KIRF](#) [IZ](#) [VT](#)
SUBJECT: HOLY SEE ON TARIQ AZIZ

REF: BAGHDAD 2148

CLASSIFIED BY: Rafael Foley, Acting DCM.

REASON: 1.4 (b), (d)

¶1. (C) Summary: The Holy See has expressed verbally and in writing its wishes that Tariq Aziz, who as Saddam Hussein's Deputy Prime Minister was the highest ranking Christian in the Iraqi government, be tried fairly. The Holy See opposes the death penalty in Iraq, and would appreciate Aziz be given appropriate opportunities for legal representation. The Holy See also asks USG help for Italian lawyer Mario Lana, who plans to be in Baghdad from September 8 to the 13, to visit Aziz. End summary.

¶2. (C) A/DCM met with Monsignor Franco Coppola, Director for the Middle East at the Holy See Secretariat of State, on July 4 to discuss Iraq. Coppola's impressions coincide with those transmitted by the Holy See Nuncio in Iraq to Ambassador Crocker on July 7 (reftel). In addition, Coppola raised the trial of former Iraqi Deputy Prime Minister Tariq Aziz. Coppola noted that while Aziz is not a representative of the Christian population in Iraq, Christians in the country could nevertheless see his trial as a test of Iraqi judicial impartiality.

¶3. (C) Coppola stated that he was not making any assumptions about the innocence or guilt of Aziz. If found guilty, a proper punishment --but not the death penalty, which the Church opposes in principle whenever there is a viable alternative-- is to be expected. Coppola added that he was concerned about Aziz's ability to obtain appropriate legal representation. For the Holy See, he said, a fair trial for Aziz is also a matter of preserving human dignity, even for those that are standing trial for very serious crimes.

¶4. (C) On July 10, the Holy See sent a note verbale to the US Embassy to the Holy See restating the points on Aziz that Coppola had made on July 4 and asking that the USG help Italian citizen Mario Lana, an attorney associated with the International Federation for Human Rights (FIDH), to visit Aziz. Lana knows Aziz personally and wishes to discuss with him his legal situation and other legal matters. (Note: The note makes reference to Lana traveling to Baghdad in July. However, he had to postpone his trip. He now plans to be in Baghdad from September 8 to 13. He will stay with the Italian Ambassador in Baghdad. End note). The text of the note verbale is in paragraph 6 below.

¶5. (C) Comment: Post defers to the Department and Embassy Baghdad on the desirability of reacting favorably to the Holy See's request. From post's perspective, it is to the USG advantage to be receptive, to the extent possible, to the Holy See's views on the issue. There are voices within the Vatican that are critical of the US intervention in Iraq and who hold us mainly responsible for Iraqi governance and institutional shortcomings. A sympathetic response to the Holy See's concern on Aziz's case would help to underline to the Vatican --and through the Vatican, to Catholics in many countries-- the USG commitment to achieve our shared goal of justice and reconciliation in Iraq. End comment.

16. (SBU/FOUO): Text of the note verbale. Begin text:

Note Verbale

Note number 5103/08/RS

The Secretariat of State, Section for Relations with States
(...) wishes to submit the enclosed "Aide memoire".

The Secretariat of State is grateful for the attention and the follow-up that the US government may wish to give to what is noted in the document.

(Complimentary closing)

Vatican, July 10, 2008

AIDE-MEMOIRE

The lawyer Mario Lana has asked the Holy See to approach the United States Administration so that, during his stay in Baghdad from July 16 to 26 next, he may be permitted, for humanitarian reasons, to visit Mr. Tarek Aziz - whose personal friend he is - in prison, in order to greet him and possibly act as the bearer of a letter from him to his family members. Mr. Lana will reside with the Ambassador of Italy to Iraq and during those days will have various meetings, for professional reasons, with the Iraqi Ministry of Justice and with representatives of the Central Bank of Iraq and the Rafidain Bank. The Holy See hopes that the request will be granted favourable consideration.

With regard to the matter of Mr. Tarek Aziz, the Holy See, concurring with the position publicly adopted by the Iraqi Bishops, is of the view that it would be just were he to undergo a regular trial, with all the guarantees for the defence

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according to international standards, in order to ascertain whether he is responsible for the crimes of which he stands accused.

In the context of the efforts being made to obtain the recognition of the equal dignity of Christians in Iraq, which is unfortunately denied by different extremist Islamic groups, the Holy See believes that it would be important, also in this tragic case, that the accused, who is publicly known to be a "Christian", not be given privileged treatment but be guaranteed the dignity and rights afforded to other Iraqis judged by that tribunal. In this regard, it is pointed out that news has been received of the killing of his lawyer and that he would find himself without defense counsel.

Should Mr. Aziz be judged guilty, the Holy See remains opposed, as a matter of principle, to the death sentence (for him as for anyone else). In particular, in Iraq, to renounce inflicting - or even only carrying out - the death penalty could in no way be interpreted as an act of weakness but would, on the contrary, display the by now consolidated strength of the democratically constituted authorities and at the same time their will for reconciliation.

End text.

GLENDON